

REMARKS

The Pending Claims

Currently pending are independent claim 1 and dependent claims 2-3 and 8-18. Claims 1-3 and 8-16 are directed toward a device for producing a pulsating fluid stream. Claim 17 is directed toward a filter device that includes the device of claim 1, and claim 18 is directed toward a cleaning device that includes the device of claim 1. Reconsideration of the pending claims is respectfully requested.

Amendments to the Claims

The claims have been amended to point out more clearly and claim more distinctly the subject matter of the invention. Particularly, claim 1 has been amended to include the feature previously recited in claim 7 that the "blocking member comprises an outer surface and at least one recess in the form of a depression in the outer surface of the blocking member." Accordingly, claims 4-7 have been canceled without disclaimer or prejudice to the subject matter therein. In light of the cancellations, claims 8 and 10-12 have been revised to properly adjust their dependencies.

Summary of the Office Action

The Office Action rejects claims 1-6, 14-16, and 18 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 4,802,508 (Styles et al.). Claims 1-6, 13, 15, and 16 are also rejected as anticipated by U.S. Patent 6,053,203 (Sailor et al.). The Office Action further rejects claims 17 and 18 under 35 U.S.C. § 103(a) as obvious over U.S. Patent 6,641,646 (Rosenberg) in view of Sailor et al. Lastly, Applicant graciously acknowledges that the Office Action indicates that claims 7-12, though objected to, would be considered allowable if rewritten to include the limitations of the base claim and any intervening claims.

Discussion of the Claim Rejections

Claim 1 has been amended to include the features deemed patentable and previously set forth in claim 7. Applicant respectfully submits that claim 1 should now be allowable. Applicant wishes to note that the inclusion into amended claim 1 of the feature previously recited in intervening claim 4, particularly that "the blocking member is provided with at least one recess," would be redundant in light of the present amendments to claim 1. Claims 8-12, which the Office Actions also indicates contain patentable subject matter, now depend from claim 1 and should likewise be allowable.

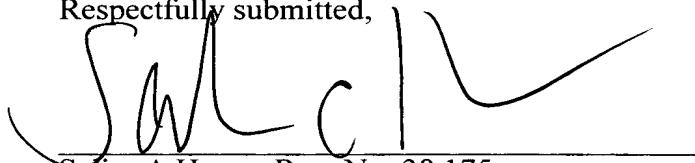
In re Appln. of Käske
Application No. 10/812,136

Furthermore, claims 13-18, initially rejected by the Office Action, now all depend from patentable claim 1 and should therefore be allowed. See, e.g., *RCA Corp. v. Applied Digital Data Systems*, 221 U.S.P.Q. 385 (Fed. Cir. 1984) (improper to reject as anticipated dependent claims depending from an unanticipated independent claim); *In re Fine*, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988) (improper to reject as obvious dependent claims depending from an unobvious independent claim).

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Salim A Hasan, Reg. No. 38,175
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: March 11, 2005